

BOIES SCHILLER FLEXNER LLP
RICHARD J. POCKER (NV Bar No. 3568)
300 South Fourth Street, Suite 800
Las Vegas, NV 89101
Telephone: (702) 382-7300
Facsimile: (702) 382-2755
rpocker@bsflfp.com

BOIES SCHILLER FLEXNER LLP
WILLIAM ISAACSON (*pro hac vice*)
KAREN DUNN (*pro hac vice*)
1401 New York Avenue, NW, 11th Floor
Washington, DC 20005
Telephone: (202) 237-2727
Facsimile: (202) 237-6131
wisaacson@bsflfp.com
kdunn@bsflfp.com

BOIES SCHILLER FLEXNER LLP
STEVEN C. HOLTZMAN (*pro hac vice*)
1999 Harrison Street, Suite 900
Oakland, CA 94612
Telephone: (510) 874-1000
Facsimile: (510) 874-1460
sholtzman@bsflfp.com

MORGAN, LEWIS & BOCKIUS LLP
JOHN A. POLITO (*pro hac vice*)
One Market, Spear Street Tower
San Francisco, CA 94105
Telephone: 415.442.1000
Facsimile: 415.442.1001
john.polito@morganlewis.com

DORIAN DALEY (*pro hac vice*)
DEBORAH K. MILLER (*pro hac vice*)
JAMES C. MAROULIS (*pro hac vice*)
ORACLE CORPORATION
500 Oracle Parkway, M/S 5op7
Redwood City, CA 94070
Telephone: 650.506.4846
Facsimile: 650.506.7114
dorian.daley@oracle.com
deborah.miller@oracle.com
jim.maroulis@oracle.com

Attorneys for Plaintiffs Oracle USA, Inc., Oracle
America, Inc., and Oracle International Corp.

GIBSON, DUNN & CRUTCHER LLP
Mark A. Perry (*pro hac vice*)
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5306
Telephone: (202) 955-8500
mperry@gibsondunn.com

Blaine H. Evanson (*pro hac vice*)
Joseph A. Gorman (*pro hac vice*)
333 South Grand Avenue
Los Angeles, CA 90071
Telephone: (213) 229-7228
bevanson@gibsondunn.com

HOWARD & HOWARD
W. West Allen (Nevada Bar No. 5566)
3800 Howard Hughes Parkway, Suite 1000
Las Vegas, NV 89169
Telephone: (702) 667-4843
wallen@howardandhoward.com

DANIEL B. WINSLOW
RIMINI STREET, INC.
6601 Koll Center Parkway Suite 300
Pleasanton, CA 94566
Telephone: (925) 264-7736
dwinslow@riministreet.com

Attorneys for Defendants Rimini Street,
Inc., and Seth Ravin

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
AND SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-VCF

**STIPULATION AND [PROPOSED]
ORDER TO DISBURSE FUNDS**

WHEREAS on September 21, 2016, the Court entered an award of \$28,502,246.40 in attorneys' fees in favor of Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation (collectively, "Oracle") (ECF No. 1049);

WHEREAS on October 18, 2016, the Court entered a final judgment that included the attorneys' fees award (ECF No. 1076);

WHEREAS on October 31, 2016, Defendant Rimini Street, Inc. ("Rimini") paid Oracle the judgment in full and postjudgment interest, including the \$28,502,246.40 attorneys' fees award (ECF Nos. 1096, 1097);

WHEREAS on January 8, 2018, the Ninth Circuit partially reversed the district court's final judgment and "vacate[d] the [attorneys'] fee award and remand[ed] for reconsideration" (*Oracle USA, Inc. v. Rimini Street, Inc.*, 879 F.3d 948, 965 (9th Cir. 2018));

WHEREAS on March 26, 2018, Oracle filed its renewed motion for attorneys' fees (ECF No. 1118);

WHEREAS on March 29, 2018, Rimini and Oracle filed a stipulation to allow Oracle to deposit the \$28,502,246.40 attorneys' fees award with the Court pursuant to Federal Rule of Civil Procedure 67 (ECF No. 1123);

WHEREAS on April 3, 2018, the Court entered the parties' stipulation (ECF No. 1128);

WHEREAS on April 3, 2018, the Court issued an order stating that "Oracle is hereby

1 authorized to deposit \$28,502,246.40 with the Court in its Registry Account, to be disbursed with
 2 appropriate interest according to this Court's resolution of Oracle's renewed motion for attorneys'
 3 fees. This disbursement is to occur without respect to either party's subsequent appeal from this
 4 Court's decision." (ECF No. 1129 at 1);

5 WHEREAS Oracle deposited \$28,502,246.40 with the Court on May 2, 2018 (ECF Nos. 1144
 6 (certificate of deposit), 1144-1 (receipt));

7 WHEREAS on August 14, 2018, the Court granted Oracle's renewed attorneys' fees motion,
 8 stating that "Oracle is entitled to the same award of fees previously issued by the court. Accordingly,
 9 the court shall grant Oracle \$28,502,246.40 in attorneys' fees against Rimini Street." (ECF No. 1164
 10 at 17);

11 WHEREAS on August 14, 2018, the Court entered judgment against Rimini for attorneys'
 12 fees in the amount of \$28,502,246.40 (ECF No. 1165);

13 THEREFORE IT IS HEREBY STIPULATED by and between the Parties that Oracle shall be
 14 entitled to disbursement of \$28,502,246.40 (plus accrued interest) from the Court's Registry Account
 15 (with the interest to be paid as accrued in the Registry Account, and not owed or to be paid by
 16 Rimini). This stipulation in no way limits, forfeits, or diminishes Rimini's right to appeal the Court's
 17 judgment awarding attorneys' fees to Oracle or Rimini's claim that it is entitled to a return of all or a
 18 portion of those fees (with interest) in the event of a successful appeal.

19 **SO STIPULATED AND AGREED.**

20 DATED: August 28, 2018

GIBSON, DUNN & CRUTCHER LLP

21 By: /s/ Mark A. Perry
 22 Mark A. Perry

23 Attorneys for Defendants Rimini Street, Inc. and Seth
 24 Ravin

25 DATED: August 28, 2018

BOIES SCHILLER FLEXNER LLP

26 By: /s/ William Isaacson
 27 William Isaacson

28 Attorneys for Plaintiffs Oracle USA, Inc., Oracle
 America, Inc. And Oracle International Corporation

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
AND SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**[PROPOSED] ORDER TO
DISBURSE FUNDS**

IT IS HEREBY ORDERED that the Clerk of this Court shall disburse \$28,502,246.40 (plus accrued interest) to Oracle from the Court's Registry Account by check payable to Oracle America, Inc., with the following delivery address:

Julia Hirschle
Oracle America, Inc.
5525 Kietzke Lane, Suite 200
Reno, NV 89511

IT IS SO ORDERED.

Dated: August ____, 2018

By: _____
Hon. Larry R. Hicks
United States District Judge

ATTESTATION OF FILER

The signatories to this document are Mark Perry and me, and I have obtained Mr. Perry's concurrence to file this document on his behalf.

DATED: August 28, 2018

BOIES SCHILLER FLEXNER LLP

By: /s/ William Isaacson
William Isaacson